

363.728
Haper
Gop

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

SOLID WASTE MANAGEMENT BUREAU

TED SCHWINDEN, GOVERNOR

Room A201
COGSWELL BUILDING



STATE OF MONTANA

(406) 449-2821

PLEASE RETURN

HELENA, MONTANA 59620

Montana State Library



3 0864 1006 7405 3

June 23, 1981

Board of County Commissioners, Flathead County Courthouse, Kalispell, MT
Mr. Nick Verma, Flathead Co. Zoning Administrator, 723 Fifth Ave. E. Kalispell, MT
Mike Cavazos, Junk Vehicle Project Director, P. O. Box 168, Kalispell, MT
Norma E. Happ, Mayor of Kalispell, Box 1035, Kalispell, MT
Clyde Hisler, 84 Park St., Kalispell, MT
Neil Mann, Dept. of Natural Resources, 25 S. Ewing, Helena, MT
Will Aikin, MT Dept. of Health & Env. Sciences, 3 Sunset Plaza, Kalispell, MT
Myron Holzheimer, Dept. of Highways, 2701 Prospect Ave., Helena, MT
MT Dept. of Fish Wildlife and Parks, 1420 East Sixth Ave., Helena, MT
Kevin Keenan, Water Quality Bureau, DHES, Cogswell Bldg., Rm. A206, Helena, MT
Larry Owens, Gopher's Garage, 21 Riverside Drive, Kalispell, MT

Interested Persons;

Pursuant to the Administrative Rules of Montana, Section 16-2.2(2)-P2030, Rule IV, the following Preliminary Environmental Review has been prepared by the Department of Health and Environmental Sciences concerning Gopher's Garage in Kalispell, MT.

The purpose of the Preliminary Environmental Review is to inform all interested governmental agencies, public groups or individuals of the proposed action and to determine whether or not the action may have a significant effect on the human environment. This Preliminary Environmental Review will be circulated for a period of fifteen (15) days at which time a decision will be made as to our future action.

If you care to comment on this proposed action, please do so within the allotted time.

Sincerely,

LARRY D. MITCHELL
Solid Waste Management Bureau
Environmental Sciences Division

STATE DOCUMENTS COLLECTION

APR 11 1983

MONTANA STATE LIBRARY
1515 E. 6th AVE.

HELENA, MONTANA 59620

LDM:vc
Encls.

cc: Environmental Quality Council, 1209 8th Avenue, Helena, MT 59620
Mr. Tom Ellerhoff, Env. Science Division, DHES, Helena, MT 59620
Mr. Tom Cowan, Flathead Co. Health Dept., 723 Fifth Ave. E., Kalispell, MT



POTENTIAL IMPACTS ON HUMAN ENVIRONMENT

	Major	Moderate	Minor	None	Unknown	Comments on Attached Pages
1. Social structures and mores				X		
2. Cultural uniqueness and diversity				X		
3. Local and state tax base & tax revenue				X		
4. Agricultural or industrial production				X		
5. Human health				X		
6. Quantity and distribution of community and personal income			X			X
7. Access to and quality of recreational and wilderness activities				X		
8. Quantity and distribution of employment			X			X
9. Distribution and density of population and housing				X		
10. Demands for government services			X			X
11. Industrial & commercial activity			X			X
12. Demands for energy				X		
13. Locally adopted environmental plans & goals				X		X
14. Transportation networks & traffic flows				X		

Other groups or agencies contacted or which may have overlapping jurisdiction Flathead County Zoning Administrator,

County Health Dept., MT Dept. of Highways, State Dept. Health Water Quality Bureau

Individuals or groups contributing to this PER. _____

Recommendation concerning preparation of EIS Not Necessary

PER Prepared by: Larry D. Mitchell

LARRY D. MITCHELL

Date: June 19, 1981

DHES/ESD-2

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Cogswell Building, Helena, Montana 59601
(406)449-3946

PRELIMINARY ENVIRONMENTAL REVIEW

Division/Bureau Environmental Sciences Division/Solid Waste Management Bureau
Project or Application Larry Owens dba/Gopher's Garage
Description of Project A proposal to establish and license a new motor vehicle
wrecking facility near the Stillwater River in Kalispell is under consideration.
The attached map shows the exact location.

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	Major	Moderate	Minor	None	Unknown	Comments on Attached Pages
1. Terrestrial & aquatic life and habitats			X			X
2. Water quality, quantity and distribution			X			X
3. Geology & soil quality, stability and moisture				X		
4. Vegetation cover, quantity and quality				X		
5. Aesthetics		X				X
6. Air quality				X		
7. Unique, endangered, fragile, or limited environmental resources				X		
8. Demands on environmental resources of land, water, air & energy				X		
9. Historical and archaeological sites				X		

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

1. Terrestrial and aquatic life and habitats
2. Water Quality, quantity and distribution

The location the applicant has proposed for use as a motor vehicle wrecking facility is immediately adjacent to the Stillwater River as it flows under the Whitefish Stage Road bridge near the intersection with Riverside Drive in northeast Kalispell. Actual usable area is restricted to a tract of land approximately one-third acre in size by property lines and heavy riparian vegetation. The inventory storage area is limited to a maximum of perhaps 50 vehicles.

The operation of vehicle salvage yards over time, characteristically results in accidental spillages of waste motor vehicle fluids from dismantling and recycling operations. Examples are petroleum products in the form of motor fuels and lubricants, and hydraulic fluids, coolant, and brake fluids. Although it is difficult to predict or estimate the quantity of this material which might be leaked on the ground, it can be stated that some spillages will undoubtedly occur. The surface material of the proposed salvage yard is made up of medium to large river bottom cobbles and gravel.

The soil conditions together with the fact that the proposed site lies within a flood hazard area of the Stillwater River would suggest that some degree of contamination of ground and/or surface waters may occur at least on an intermittent basis. An adverse impact to water quality and aquatic life and habitats can be assumed to some degree depending on (1) quantity and quality of wasted fluids (2) frequency of inundating flood waters and (3) percolation of unattenuated fluids into elevated groundwater and its presumed migration into the adjacent surface waters of the Stillwater River.

The surface waters of the Stillwater River presently have a B-1 Classification according to regulations adopted by the State Department of Health pursuant to the Montana Water Quality Act (Section 75-5-101 et seq., MCA). Such classification states in part that "no increases are allowed above naturally occurring concentrations of ...oils... which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, wild animals, birds, fish or other wildlife." Although it is conceivable that the operation of a wrecking facility at this location may contribute to an increased concentration of oils over that naturally occurring in the surface waters, it is highly speculative to assume that the nuisance test could be met or that harmful, detrimental, or injurious effects to the ecosystem would result in measurable quantities attributable to the operation of the proposed facility.

Section 75-5-605(1) MCA 1979 states in part that "It is unlawful to: (a) cause pollution as defined in 75-5-103 of any state waters or to place ...any wastes in a location where they are likely to cause pollution of any state waters." (emphasis added) The Stillwater River is a state water by statutory definition and oil, grease, chemicals, and wrecked or discarded equipment are wastes by definition (Section 75-5-103 MCA). The same section of law defines pollution from these and other wastes generally as contamination which exceeds permitted water quality standards or meets the previously



stated regulatory test of nuisance or creates the harmful, detrimental, or injurious effects on the ecosystem. Again the presumption that the proposed salvage activity will pollute to a degree prohibited by statute is basically speculative in nature and not measurable in advance.

5. Aesthetics

The Motor Vehicle Recycling and Disposal law and regulations require that wrecking facilities be screened from public view such that the junk vehicle inventory is not visible from public roadways. This facility is visible from the Whitefish Stage road to the southwest and Riverside Drive to the north. The applicant proposes to screen the facility from Riverside Drive by constructing a fence of adequate height and length along the north edge of the property. Used in conjunction with an existing shop building, a properly constructed fence will shield the north side of the facility. The east, west and south sides of the facility are screened with one exception by natural vegetation. These three sides of the proposed site are bounded by a heavy growth of stream side vegetation approaching 20 to 25 feet in height. Thick growths of deciduous alder, willow and birch trees and shrubs are effective in screening all but a portion of the west side from view, particularly during the summer months. Photos of the proposed site taken in March when the vegetation is without leaves show that the site appears to be satisfactorily screened due to the density of the leafless vegetation.

There is, however, one twenty foot section the west side of the facility that is clearly visible from the bridge over the Stillwater River. From this elevated bridge, a screen of some 15 to 20 feet in height will be needed to adequately shield the facility from this view point. The applicant has proposed transplanting some of the existing vegetation from one area of the site into this void area. If successfully transplanted such that this portion of the facility is properly screened, the shielding proposal appears to be acceptable.

The department's regulation regarding wrecking facility screening with natural vegetation states that "screening with shrubs and trees, while not subject to precise measurements, is to provide a similar degree of shielding at all times of the year" (Rule 16.14.202 (3)(b) ARM.) Year-round shielding density must be provided which is equal or similar to that provided by fence specifications which allow a one and one-half inch gap between vertical boards no less than seven and one-half inches in width. This calculates to a permissible screen of 83% density or greater, evenly distributed around the proposed facility. A license to operate cannot be issued to a facility unless it is properly screened in accordance with these regulations.

POTENTIAL IMPACTS ON HUMAN ENVIRONMENT

6. Quantity and distribution of community and personal income
8. Quantity and distribution of employment

The successful operation of a motor vehicle wrecking facility has the potential for providing income and employment for the applicant and any additional employees necessary for the business. Although limited in impact due to the physical size limitations of the site, a minor positive impact to community and personal income and employment may result from this business.



POTENTIAL IMPACTS ON HUMAN ENVIRONMENT (cont.)

10. Demands for government services

Periodic routine inspections by state and local junk vehicle program officials are required to assure that motor vehicle wrecking facilities are maintained and operated in compliance with the requirements of the Motor Vehicle Recycling and Disposal law and regulations. Additionally, a minor amount of administrative office work is required in maintaining files and records on such facilities and in routine mailings of correspondence.

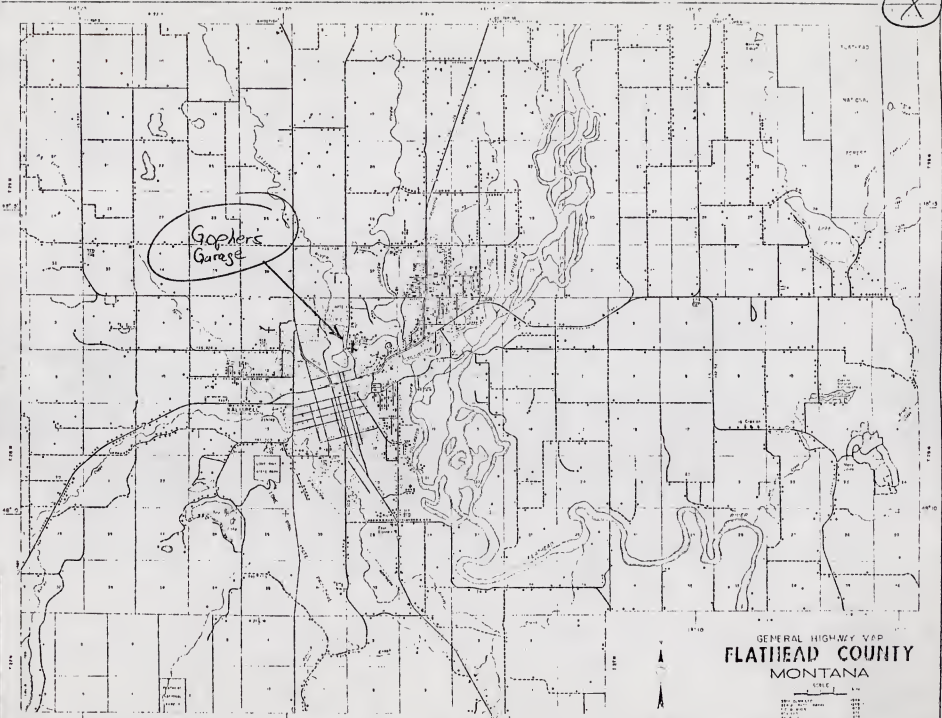
11. Industrial and commercial activity

Motor vehicle wrecking facilities are generally perceived as heavy commercial or industrial land use businesses. Establishment and operation of such businesses may tend to create a land use trend towards other types of such development. Presently there is a mix of residential and commercial use in the neighborhood near the site. For example, a heavy equipment repair business is currently located across the street from the proposed site.

13. Locally adopted environmental plans and goals

There are no locally adopted land use regulations or ordinances which would preclude establishing and operating a motor vehicle wrecking facility at the proposed location. Although the site is located within a Zone A Flood Hazard designated area of the Stillwater River, no locally adopted floodplain ordinances have been discovered which would prohibit this proposed land use.





GENERAL HIGHWAY MAP
FLATHEAD COUNTY
MONTANA

SCALE

0	1	2	3	4	5	6	7	8	9	10
MILES										

Copyright 1964 by the Montana Department of Transportation
Printed in the U.S.A. by the Montana Department of Transportation



MONTANA DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Environmental Sciences Division
Solid Waste Management Bureau
Helena, Montana 59601

MOTOR VEHICLE WRECKING FACILITY

APPLICATION FOR LICENSE

Complete this form and return with attachments to: Solid Waste Management Bureau
Montana Department of Health and
Environmental Sciences
Helena, Montana 59601

- 1) Name of applicant: Larry Owens
- 2) Name of facility: Gophers Garage
- 3) Address: 21 Riverside drive
- 4) Size and legal description of facility: 4 tract of land in the northwest quarter of the northwest quarter of section eight, Township twenty-eight north, Range twenty-one west, M2B M2, Flathead County, Montana.
- 5) If you are not the owner of the premises, give name and address of lessor who holds title to the property:

Name: Larry Owens

Address: 190 Hagerman Lane Kalispell, MT 59901

- 6) Attachments: a) ☒ Map of city or county showing proposed location of facility. ☒ Drawing of proposed facility showing especially the type and adequacy of shielding of facility from public view and location of buildings.

- 7) I hereby certify that the site of the planned motor vehicle wrecking facility is in accordance with local government zoning and ordinances (to be signed by appropriate local government official having knowledge of local zoning ordinances).

TITLE: no zoning, unrequired

OF: Flathead County (Zoning Administrator - Flathead County)

- 8) Date (year and month) that your facility will begin operation: _____

SIGNATURE OF APPLICANT: Larry Owens

PHONE: 257-3904

TITLE: By Larry Owens

DATE: May 26 1981

RECEIVED

MAY 26 1981

MONTANA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL SCIENCES
SOLID WASTE SECTION



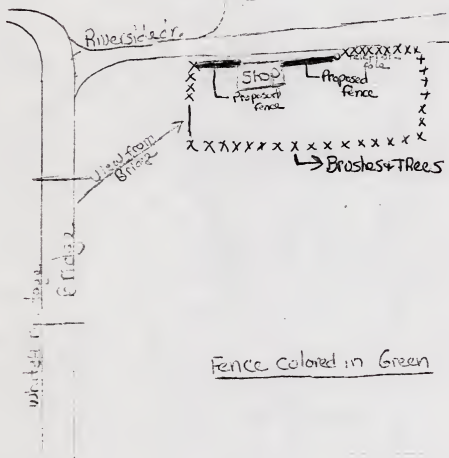
OWENS

PHONE 756-2707

BOX 861

KALISPELL, MONTANA 59901

- GENERAL CONTRACTOR
- HEAVY HAULING
- ROAD BUILDING
- CRANE SERVICE



Fence colored in Green

Proposed to put Brush & Trees in area between
view from Bridge. Proposed fencing in the other
two areas. We will move 20 ft. trees from existing
Land to opening viewed from Bridge.

Lowmyer
ans

(X)



28 21

Owens location



